

ESTTA Tracking number: **ESTTA629546**

Filing date: **09/26/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215246
Party	Defendant Empire Resorts, Inc.
Correspondence Address	CHARLES N QUINN FOX ROTHSCHILD LLP 747 CONSTITUTION DRIVE, SUITE 100 EXTON, PA 19341 UNITED STATES cquinn@foxrothschild.com, dmcgregor@foxrothschild.com, cesch@foxrothschild.com, ipdocket@foxrothschild.com, dwilli- ams@foxrothschild.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	CHARLES N. QUINN
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Signature	/CHARLES N. QUINN/
Date	09/26/2014
Attachments	27547851_1.pdf(62038 bytes)

**THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

LVGV, LLC		:	Opposition 91215246
		:	
	Opposer	:	Application 85/736,471
v.		:	
		:	Mark: "M (stylized)"
Empire Resorts, Inc.		:	
		:	Class: 28
	Applicant	:	
		:	Interlocutory Attorney:
		:	Andrew P. Baxley

**CONSENTED MOTION BY APPLICANT EXTENDING TIME FOR OPPOSER'S
ANSWER TO APPLICANT'S MOTION FOR JUDGMENT ON THE PLEADINGS
AND SEEKING AN EXTENSION OF DISCOVERY AND RESETTING OF ALL DATES**

Counsel for opposer has requested, and counsel for applicant has agreed to, an extension of time for opposer to answer applicant's outstanding motion for judgment on the pleadings.

Additionally, counsel for the respective parties have agreed that an extension of the discovery period in the above-captioned proceeding and consequent resetting of all subsequent dates is desirable.

Accordingly, undersigned counsel for Empire Resorts, Inc., the applicant in this trademark opposition proceeding, hereby moves this Board, with the consent of counsel for LVGV, LLC, the opposer in this proceeding, such consent having been received via an exchange of e-mails, to extend the date by which opposer shall answer applicant's Motion for Judgment on the Pleadings to 12 November 2014, to extend discovery in this case for ten (10) weeks, and to reset all subsequent dates accordingly.

With the grant of this Motion, opposer's answer to applicant's Motion for Judgment on the Pleadings will due on 12 November 2014 and the new schedule for proceeding will be as follows:

Discovery Closes	1/18/2015
Plaintiff's Pretrial Disclosures Due	3/4/2015
Plaintiff's 30-day Trial Period Ends	4/18/2015
Defendant's Pretrial Disclosures Due	5/3/2015
Defendant's 30-day Trial Period Ends	6/17/2015
Plaintiff's Rebuttal Disclosures Due	7/2/2015
Plaintiff's 15-day Rebuttal Period Ends	8/1/2015

Empire Resorts, Inc., through its undersigned counsel, respectfully solicits notification of the grant of this Consented Motion.

FOX ROTHSCHILD LLP

Date: 26 September 2014

/Charles N. Quinn/
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**THE UNITED STATES PATENT AND TRADEMARK OFFICE
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	:	Andrew P. Baxley

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the Consented Motion by Applicant for Extension of Discovery and Resetting of all Dates was served on Opposer's counsel on the date listed below by e-mail, pursuant to an agreement between the parties, addressed as follows:

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Date: 26 September 2014

/Charles N. Quinn/
Charles N. Quinn